



UEFA European Championship (Scotland) Act 2020

2020 asp 1

Ticket touting

2 Ban on ticket touting

- (1) It is an offence to tout a Championship ticket (“the touting offence”).
- (2) A person touts a Championship ticket if the person does any act falling within subsection (3)—
 - (a) in relation to the sale, or proposed sale, of a Championship ticket for an amount exceeding the ticket's face value, or
 - (b) with a view to making a profit.
- (3) Acts which fall within this subsection are—
 - (a) selling a Championship ticket,
 - (b) offering to sell a Championship ticket,
 - (c) exposing a Championship ticket for sale,
 - (d) advertising that a Championship ticket is available for purchase,
 - (e) making a Championship ticket available for sale by another person, and
 - (f) giving away (or offering to give away) a Championship ticket on condition that the person given the ticket pays a booking fee or other charge or acquires some other goods or services.
- (4) The touting offence does not apply in relation to any act by UEFA in relation to the sale, or proposed sale, of a Championship ticket which—
 - (a) falls within subsection (3), and
 - (b) is not done for an amount exceeding the ticket's face value.
- (5) This section applies to acts done in or outwith Scotland.
- (6) The amount payable for a Championship ticket is to be treated as including—
 - (a) the amount of any booking fee or other charge imposed as a condition of sale,
 - (b) the amount payable for any other goods or services which are to be acquired as a condition of sale, and

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Changes to legislation: There are currently no known outstanding effects for the UEFA European Championship (Scotland) Act 2020, Cross Heading: Ticket touting. (See end of Document for details)

- (c) the market value of any goods or services received in exchange for the ticket.
- (7) The reference in subsection (2)(b) to making a profit is, where the act is done by a person other than the person disposing of the ticket, to be read as a reference to assisting the person disposing of the ticket to make or attempt to make a profit.

Commencement Information

II S. 2 in force at 10.7.2020 by S.S.I. 2020/189, reg. 2, sch.

3 Exception for charity auctions

- (1) The touting offence does not apply in relation to the sale of a Championship ticket in an auction conducted—
- (a) by a charity, or
 - (b) by a person other than a charity, provided that the proceeds of the ticket's sale are given to a charity.
- (2) In subsection (1), “charity” means—
- (a) a body which is registered in the Scottish Charity Register, or
 - (b) a body which—
 - (i) is established under the law of [^{F1}any territory outwith Scotland,]
 - (ii) is managed or controlled wholly or mainly outwith Scotland, and
 - (iii) meets [^{F2}either the condition set out in subsection (3) or the condition set out in subsection (4)] .
- [^{F3}(3) This condition is that the body is registered in a register corresponding to the Scottish Charity Register.
- (4) This condition is that, if there is no such register in the territory where the body is established—
- (a) the body’s purposes consist only of one or more of the charitable purposes set out in section 7(2) of the Charities and Trustee Investment (Scotland) Act 2005, and
 - (b) the body provides public benefit within the meaning given by section 8 of that Act.]

Textual Amendments

- F1** Words in s. 3(2)(b)(i) substituted (27.5.2020) by Coronavirus (Scotland) (No.2) Act 2020 (asp 10), s. 16(1), sch. 4 para. 1(3)(a) (with s. 9)
- F2** Words in s. 3(2)(b)(iii) substituted (27.5.2020) by Coronavirus (Scotland) (No.2) Act 2020 (asp 10), s. 16(1), sch. 4 para. 1(3)(b) (with s. 9)
- F3** S. 3(3)(4) substituted for s. 3(3) (27.5.2020) by Coronavirus (Scotland) (No.2) Act 2020 (asp 10), s. 16(1), sch. 4 para. 1(3)(c) (with s. 9)

Commencement Information

I2 S. 3 in force at 10.7.2020 by S.S.I. 2020/189, reg. 2, sch.

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4 Exception for certain advertisers etc.

A person (“A”) who advertises that a Championship ticket is available for purchase from, or makes a ticket available for sale by, another person (“B”) does not commit a touting offence if—

- (a) the proposed ticket sale would constitute a touting offence only because B intends to—
 - (i) sell the ticket for an amount exceeding the ticket's face value, or
 - (ii) make a profit as a result of the sale, and
- (b) A does not, and could not reasonably be expected to, know B's intention.

Commencement Information

I3 [S. 4](#) in force at 10.7.2020 by [S.S.I. 2020/189](#), [reg. 2](#), [sch.](#)

5 Provision of electronic facilities

The Scottish Ministers may by regulations specify circumstances in which making facilities available in connection with electronic communications or the storage of data is, or is not, to be capable of constituting a touting offence.

Commencement Information

I4 [S. 5](#) in force at 9.3.2020 by [S.S.I. 2020/49](#), [reg. 2](#), [sch.](#)

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